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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	X	DOCUMENT ELECTRONICALLY FILED DOC #:_ DATE FILED: 3/20/2025
UNITED STATES OF AMERICA,	: :	
-V-	: :	23-cr-99 (LJL)
KEVIN PEREZ,	:	<u>ORDER</u>
Defendant.	: :	
	: X	

LEWIS J. LIMAN, United States District Judge:

The Court provided the parties with the attached supplemental charge by email at 7:21 p.m. on March 19, 2025. The parties responded to the proposed supplemental charge the same evening. To the extent responses were made by email, the parties are directed to file them on the docket to memorialize the positions of the parties. The supplemental charge was delivered to the jury on March 20, 2025.

SO ORDERED.

Dated: March 20, 2025

New York, New York

LEWIS J. LIMAN United States District Judge UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

ν.

23-cr-99 (LJL)

KEVIN PEREZ,

SUPPLEMENTAL JURY INSTRUCTION

Defendant.

You have asked for a definition of "reasonable person." The term is not easy to define. It is not an actual person, but a hypothetical person. The standard requires you the jury to determine what was reasonable, using the same reason, experience, and common sense that you bring to all of the judgments in this case. The question you must ask yourselves is whether, under the circumstances known to the defendant, it was reasonable to have believed that Hwascar Hernandez was using or was about to use deadly physical force, and further whether it was reasonable to have believed that the use of deadly physical force was necessary to defend against the use or imminent use of deadly physical force.